

**CRA-S-1647-2026****-1-****IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****208****CRA-S-1647-2026****Date of Decision: 14.05.2026****VIKAS****... APPELLANT****VERSUS****STATE OF HARYANA AND ANOTHER****... RESPONDENT****CORAM : HON'BLE MR. JUSTICE H.S.GREWAL****Present:- Mr. Mukesh Yadav, Advocate for the appellant.****H.S. Grewal, J.(Oral)**

1. This appeal has been filed under Section 14-A of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, against the order dated 01.05.2026 passed by the Court of learned Additional Sessions Judge, Narnaul, whereby the application for grant of regular bail filed by the appellant has been dismissed in FIR No. 274 dated 01.11.2025 registered under Sections 126 (2), 115 (2), 140 (3), 3/5, 117 (2) BNS (Corresponding Sections 341, 323, 365, 34, 325 of IPC) and Section 3(2) V(A) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 at Police Station Sadar Narnaul, District Mahendergarh.

2. The case of the prosecution is that the complainant, along with his niece and daughter-in-law, was returning from the Shani Temple in village Khaspur on a motorcycle bearing registration No. HR-35J-2266. When they

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reached near the Government School in Khaspur, they noticed a Brezza car without a registration number parked there. It is alleged that the appellant along with his co-accused Monu @ Gopi, who were allegedly carrying *dandas* in their hands, came out of the said car and forcibly snatched the key of the motorcycle. Thereafter, the appellant caused injuries to the complainant, while co-accused Monu @ Gopi dragged the complainant's niece into the said car and they fled from the spot while abusing the complainant in the name of his caste.

3. Learned counsel for the appellant submits that the appellant has been falsely implicated in the present case at the instance of the complainant, as the co-accused Monu and the victim are neighbours, belong to different castes, and were in a relationship with each other. He further submits that co-accused Monu and Vikram Singh have already been granted the concession of regular bail by this Court. He further submits that the appellant has been in custody since 01.11.2025 and prays for grant of regular bail.

4. Notice of motion.

5. Ms. Malvika Singh, DAG, Haryana, accepts notice on behalf of the respondent–State and has vehemently opposed the prayer for grant of regular bail on the ground that the allegations against the appellant are serious in nature. She has filed the custody certificate of the appellant in Court today, which is taken on record. As per the custody certificate, the appellant is in custody for the last 06 months and 09 days and is not involved in any other case.



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6. I have heard the submissions made by the parties and gone through the record.

7. After hearing the rival contentions and considering the fact that the appellant is in custody from the last 06 months and 09 days; the appellant is not involved in any other case; co-accused have already been granted bail and that the trial is likely to take a long time therefore, this Court deems it fit to set aside the order dated 01.05.2026 passed by the learned Addl. Sessions Judge, Narnaul and to grant the concession of regular bail to the appellant during the pendency of the trial as the continuous detention of the appellant would not serve the ends of justice.

8. Reference can be made to the judgment of the Hon'ble Supreme Court in the case of *Pardeep Kumar @ Banu versus State of Punjab*, bearing Criminal Appeal No.1341/2026 (arising out of SLP(Cri.) No.18775/2025), decided on 13.03.2026, wherein it has been categorically held that where the accused has remained in custody for a considerable period and the trial has not even commenced, or is not likely to conclude in the near future, therefore, continued incarceration would amount to punishment without trial. In such circumstances, further detention pending trial is not necessary and the accused is entitled to be released on bail.

9. Consequently, without expressing any opinion on the merits of the case, the instant appeal is allowed and the order dated 01.05.2026 passed by the learned Addl. Sessions Judge, Narnaul is hereby set aside. The appellant is ordered to be released on regular bail on his furnishing requisite bail bonds,



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surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

10. However, it is made clear that in case the appellant misuses the concession of bail, the State/complainant would be at liberty to seek cancellation of his bail.

14.05.2026
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(H.S.GREWAL)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable:		Yes/No